

Planning Commission Meeting
Regular Meeting, Nolensville Town Hall
September 9, 2004
7:00 P.M.

Members in attendance were as follows: Charles Knapper, Joe Curtsinger, Rick Fisher, Bob Haines, Larry Gardner, James Clark, Rob Pease, Willis Wells, and Frank Wilson.

Staff present: Richard Woodroof, Dana Ausbrooks, Dave Ausbrooks, Bill Terry, and Tonia Smith.

Agenda Item I – Meeting called to order by Chairman Willis Wells

Agenda Item II – Pledge of Allegiance

Agenda Item III – Approval of minutes

Frank Wilson stated on page 5, under section d, the second sentence, it should read: The board approved the car wash to be a conditional use in the commercial service zone.

Rick Fisher made a motion to approve the amended minutes, seconded by Joe Curtsinger, passed unanimously.

Agenda IV – Citizen Comments

Ted Behar- 9868 Sam Donald Road- stated he had concerns on two things that were on the agenda. Number one is the Sheldon Park issue as to who will be responsible for the traffic changes on the southbound lane of Nolensville Road to turn in to Sheldon Park Community. Who will be responsible for the cost of the changes? He urged the Planning Commission to have the developers to be responsible for development. The second issue that he saw was the three final plat phases that were proposed for Bent Creek. He urged that the Planning Commission look at each one of the plats as to the open space. For example, section 3a off of Silver Steam Place, what is that area designated for? He would like to see as many trees left alone to preserve the natural look of Nolensville.

Ted Lothers- 304 Walpole Court- stated the results of the survey, and he understood there would 466 responses. Out of the 466 responses, it was made clear that it was unacceptable to reduce 21,780 square feet (1/2 acre) lot size.

Cindy Arnold- 878 Dortch Lane- stated she had some requests for the Planning Commission in regards to the Sheldon Park Development:

1. 100% side garage entry

2. More half acre lots
3. 30 Feet in between each building
4. Three sides brick
5. Only one entrance/ Nolensville Road
6. All construction traffic on Nolensville Road
7. Change the name

Agenda V -New Business

a.) Road Design/ Fishback

Willis Wells stated that no one was there to speak on behalf of the Road Design, so we will proceed on.

b.) Sheldon Park Concept Plan

Rob Pease stated he would like to recuse himself from any discussion and motions made on the Sheldon Park Project.

Bill Terry stated the developers have submitted a concept plan, as required by the zoning ordinance. This development will be a planned unit development (PUD). There were nine comments to be addressed in order to meet the requirements of Nolensville land use regulations and all nine have been addressed, including adding additional access off Nolensville Road. The traffic study has been submitted and there is a need for improvements at the entrance section of Nolensville Road and the projected road. He would note that the traffic study should be approved by TDOT because it is a state highway.

Dudley Smith from CPS Land stated the following commitments

- 77 Maximum Number of Lots
- Maximum Density 1.8 units/acre
- 30% retained in open space
- Greater than 70% will have side entry garages
- No more than 30% will have front entry, recessed garages
- Price points will exceed Nolensville existing marketplace (upper 200,000 to \$300,000)
- Majority of homes to be 3 side brick
- Some lap siding homes anticipated
- Average lot size 11,700 square feet
- Lot width varies from 70' to 120
- Left turn lane at the entrance & exit at Nolensville Road (developer will be paying for this)
- Exploring changing the name

Rick Fisher asked if they had acquired the property that fronts Nolensville Road or have an option on it.

Dudley Smith stated, "We have that land under contract. It is an option to purchase. Without that access this approval doesn't stand."

Rick Fisher stated that Phase 1 is coming off of Nolensville Road. Will all of the construction traffic be coming off of Nolensville Road?

Dudley Smith stated the construction traffic would come off of Nolensville Road.

Rick Fisher asked what are the plans for the large open space in the middle?

Dudley Smith answered by saying it would be a park that would have a sidewalk in the center of it. It would have some type of community feature.

Joe Custsinger stated he had concerns on the turning lane of Nolensville Road to the Sheldon Park Entrance.

Charles Knapper stated that it has to meet the criteria of TDOT. It's a state highway, and we have to follow their recommendation.

Charles Knapper also stated that in a previous pre-approved subdivision, as part of the PUD concept, the Planning Commission made the stipulation that there could be no more than 25% of front loaded garage entries.

Dudley Smith said, " We will accept that."

Dave Ausbrooks stated that on page 64, under Application for Approval of the Concept Plan, that the Planning Commission reviews all the conditions. Before the board approves this concept plan they need to make sure all the conditions have been met. If they approve the plans and something is missing, they may not be able to readdress them.

Commissioner Joe Curtsinger requested to table the concept plan until the board has the approval from TDOT.

Willis Wells stated that the board could approve the concept plan with conditions as to TDOT approval.

The Planning Commission reviewed the conditions requested on the application for approval of the concept plan and feel that they have been met.

Joe Custsinger asked if there were any covenants available for us to review?

Bill Terry stated he reviewed the right-of-way line of the proposed road to Nolensville Road on the plan; it does not appear it goes along the property line. There is a small area between the property line and the public road. This will prohibit the adjoining property from having access to the road.

Dudley Smith stated it could be moved over if the board feels it needs to be done.

James Clark made a motion to approve Sheldon Park Concept Plans with these following conditions:

1. TDOT approval of Nolensville Road
2. The covenants being reviewed before the final plat

Bob Haines seconded the motion.

Rick Fisher made an amendment to the motion to approve concept plan with:

1. The property will have to be acquired in full for the second access to Nolensville Road.
2. All road improvements of Nolensville Road would be approved by TDOT.
3. 25% or less would have front entry garages.
4. Buffer area at the rear of the lots to be left natural and to be protected.
5. The covenants being reviewed before the final plat

Larry Gardner seconded the motion. Motion passed with Charles Knapper, James Clark, Frank Wilson, Larry Gardner, Bob Haines, Rick Fisher, and Willis Wells voting yes. Joe Curtsinger voted against and Rob Pease rescued himself.

c.) Bent Creek Phase 1 Section 1, Extruded Curb

Richard Woodroof stated they have asked to put an extruded curb around the alley way in the back. It is not in our subdivision regulations. They may come before the Planning Commission and ask for approval.

Frank Wilson made the motion to approve the extruded curb. Larry Gardner seconded the motion. Motion was past unanimously with Rob Pease recusing himself.

d.) Bent Creek Final Plat Phase 1 Section 2a

Bill Terry stated that before the plat is recorded it would have to be fully bonded. If the board approves the plat, it should be with conditions, as to the board setting the bond at a later date or having the Town Engineer setting the bond.

Richard Woodroof stated he would like for one of the conditions to be that the street numbers need to be added to the lots.

Charles Knapper made the motion to have the Town Engineer (Richard Woodroof) set the bond amounts. Rick Fisher seconded the motion. Motion was pasted unanimously. Rob Pease recused himself.

Rick Fisher made the motion to approve Bent Creek Final Plat Phase 1 Section 2a with these conditions:

1. Show sidewalks as required.
1. Provide state plane coordinates for one corner.
2. Show size of water lines.
3. Note 15 indicated that some area is in the floodplain. Show location and elevations.
4. Fill in the blank lines in the certificates for common areas dedication and ownership and dedication.
5. Street numbers on final plat
6. Town Engineer setting the bond amount

Frank Wilson seconded the motion. The motion was passed with Rick Fisher, Frank Wilson, Willis Wells, Charles Knapper, Joe Curtsinger, Bob Haines, and Larry Gardner voted for and James Clark voted against. Rob Pease recused himself.

e.) Bent Creek Final Plat Phase 1 Section 3a

Rick Fisher made the motion to approve with these conditions:

1. Show the complete floodplain line as it extends toward Sam Donald Road. Provide 100-year flood elevation.
2. Do the other lots along the front (301-306) need a first floor elevation?
3. Show sidewalks and the walking trail along Bent Creek Trace.
4. Provide state plane coordinates for one corner.
5. Fill in the blank lines in the certificates for common areas dedication and ownership and dedication.
6. Show size of water lines.
7. Street numbers on final plat
8. Town Engineer setting the bond amount

Bob Haines seconded the motion. The motion was passed with Rick Fisher, Frank Wilson, Willis Wells, Charles Knapper, Joe Curtsinger, Bob Haines, and Larry Gardner voted for and James Clark voted against. Rob Pease rescued himself.

f.) Bent Creek Final Plat Phase 1 Section 4a

Rick Fisher made the motion to approve with these conditions:

1. Provide state plane coordinates for one corner.
2. Show size of water lines.

3. Note 15 indicated that some area is in the floodplain. Show location and elevations.
4. Fill in the blank lines in the certificates for common areas dedication and ownership and dedication.
5. Provide survey data along the north property line of lot 421.
6. Street numbers on final plat
7. Town Engineer setting the bond amount

Bob Haines seconded the motion. The motion was passed with Rick Fisher, Frank Wilson, Willis Wells, Charles Knapper, Joe Curtsinger, Bob Haines, and Larry Gardner voted for and James Clark voted against. Rob Pease recused himself.

g.) Add additions of conditional uses to various zones

Bill Terry stated the commission would need to decide what types of uses of this nature are appropriate in an ER or SR zone. The intent stated in the ER zone of the zoning ordinance, states to permit development that would protect the town's rural character. Would medical services be allowed and considered to protect the town's rural character? What type of conditions would be applied in order to allow such a use and protect the town's rural character? The first decision is to decide if Medical Service is appropriate for conditional use. Secondly, what type of condition would be applied?

Charles Knapper stated he agreed with Bill Terry. He wanted the board to hear his comments. He felt that this was a workshop issue.

Bill Terry stated in the OI zone the intent states, opportunities for office, light industrial, and warehouse uses. There is also an issue about a gymnasium or a workout facility of some kind. The lists of uses are kind of general and a workout facility or gymnasium under a wider base classification system normally would be considered as a personal use.

Charles Knapper stated the type of facility we are talking about is weight lifting and a batting range.

Richard Woodroof stated it is not weight lifting it is gymnastics.

Bill Terry stated a discussion is needed to determine if it is recreational or personal.

Charles Knapper stated this would be discussed at the workshop.

h.) Side yard setbacks- SR & OSD

Bill Terry stated the diagram on page 26 indicates the definition of inter/exterior side yard setbacks. It would be simpler if you change the word "interior" setback to "front yard" setback. The side street needs a stipulation that an additional front yard would be required on that street. On a corner lot you actually have two front yard setbacks, which force the lot to be larger.

Richard Woodroof stated that is actually what we will be discussing on k. on the agenda.

Bill Terry stated it also relates to the side yard setbacks.

Richard Woodroof asked, "Are we going to allow a minimum of a 5-foot?"

Dave Ausbrooks stated the diagram would be correct if you change the word "interior" setback to "front yard" setback.

Charles Knapper asked Richard Woodroof to redraw the diagram so it may go before the Board of Mayor and Aldermen.

Dave Ausbrooks suggested changing the number in the chart on the exterior side yard setbacks to equal the front yard setback on corner lots.

Charles Knapper asked Richard Woodroof if this would answer his question on the aggregate also.

Richard Woodroof answered, "yes it will".

Charles Knapper made the motion to change exterior side setback to equal the front yard setback in each of the charts. Joe Curtsinger seconded the motion. Motion was passed with Charles Knapper, Joe Curtsinger, Rick Fisher, James Clark, Willis Well, Frank Wilson, and Larry Gardner for. Rob Pease apposed the motion.

i.) Accessory Buildings

Larry Gardner stated he would like to have a definition of all accessory buildings.

There was some discussion on accessory buildings as to the size of the building, what kinds of activity go on, and the size of the lots.

Charles Knapper asked Bill Terry to give the board some information on accessory building so we may discuss in the workshop.

j.) Sidewalk in OI

There was some heavy discussion on the sidewalk in Office Industrial.

Rob Pease made the motion to change section 3.4.1 d to state:

Every development application for site plan review, shall plan for pedestrian access and provide sidewalks to a minimum width of five (5) feet along all public street frontages. Sidewalks shall not be required in the OI zones except along major roads.

Charles Knapper seconded the motion. Motion was passed with Rob Pease, Bob Haines, Rick Fisher, Willis Wells, and Charles Knapper for approval. Larry Gardner and Joe Curtsinger were against. Frank Wilson abstained.

k.) Definition inter/exterior side yard setbacks

This section was voted on in section h. (side yard setbacks)

l.) PUD Design Standards

Charles Knapper stated this would be discussed in the workshop.

m.) Design Guidelines

Charles Knapper asked Bill Terry to gather some information and bring it to the workshop.

n.) Changing of UR Zone

Charles Knapper asked Richard Woodroof to bring in a map with the UR Zone to the next meeting.

Agenda Item VI -Old Business

a.) Monthly Bond Reports

Richard Woodroof stated we do not have any bonds due at this time. 13-c is due in December, but they have not put the final coating on the road. In the next week we will be calling the bond to get the roads paved.

b.) Waggoner Property

Charles Knapper stated we have met with the developers of the Waggoner Property. We discussed with them on how we would go forth with the project.

c.) Lawsuit

Charles Knapper stated he had met with the Jones' and council on Tuesday. If everything goes as planned, the lawsuit will be resolved by the 15th. If it does not, it will go back to court on Monday.

d.) Bent Creek Covenants

Richard Woodroof stated the council has received the copy of the covenants and will go over it.

Agenda Item VII – Other Business

a.) Future Voluntary Annexation

Charles Knapper stated we have had two individuals approach us regarding the voluntary annexation. We are looking forward to contacting them when the lawsuits have been resolved.

Agenda Item VIII- Adjournment

Being no further business to come before the Planning Commission the meeting was adjourned at 10:01 P.M.

Larry Gardner
Secretary for the Planning Commission

Date